

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MARK A. FREGIA,

Plaintiff,

v.

YUCUI CHEN, et al.,

Defendants.

Case No. 1:20-cv-01024-ADA-EPG (PC)

ORDER GRANTING IN PART  
PLAINTIFF'S MOTION FOR EXTENSION  
OF TIME TO RESPOND TO  
DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT

(ECF No. 75)

Mark A. Fregia ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On January 31, 2023, Plaintiff filed a motion for an extension of time to respond to Defendants' motion for summary judgment. (ECF No. 75). Plaintiff alleges that property relevant to this case was illegally confiscated. Plaintiff asks that his deadline to respond be extended to forty-five days after his motion for an order under the All Writs Act regarding the alleged confiscation of his property is resolved.

The Court finds good cause to grant Plaintiff an extension of time. However, the Court will not order that this deadline be contingent upon on the resolution of Plaintiff's motion for an order under the All Writs Act, because it is possible that Plaintiff received the necessary property before that time. Instead, the Court will give Plaintiff ninety days from the date of service of this order to file his response. If Plaintiff has still not received the relevant property, he may file

1 another motion for an extension of time.

2 Accordingly, IT IS HEREBY ORDERED that Plaintiff has ninety days from the date of  
3 service of this order to file his response to Defendants' motion for summary judgment (ECF No.  
4 59).

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6 IT IS SO ORDERED.

7 Dated: **February 1, 2023**

/s/ Eric P. Grogan  
8 UNITED STATES MAGISTRATE JUDGE  
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